

REMARKS/ARGUMENTS

Claims 1-33 are pending in the application. Claims 1-3, 16-18, 28 and 30-33 were initially rejected under 35 U.S.C. §102(b) as being anticipated by Wheeler et al. (U.S. Pat. 5,825,680). Claim 29 was also initially rejected under 35 U.S.C. §103(a) as being obvious over Wheeler et al. (U.S. Pat. 5,825,680) as applied to claim 1 above, in view of Juri et al. (U.S. Pat. 5,329,475). Claim 15 was rejected under 35 USC §112. Claims 4-5, 7, 11, and 15 were objected to due to informalities.

The examiner also indicated that claims 4-14 and 19-27 are allowable once written in independent form. Similarly, the examiner indicated that claim 15 is allowable once the section 112 issue is addressed.

Claim Objections

Claims 4-5, 7, 11 and 15 have been amended pursuant to the Examiner's recommendations. Therefore, it is believed that these objections have been resolved.

Section 112 Issues

Claim 15 was initially rejected as being indefinite. Claim 15 has been amended to clarify the antecedent typographical error. Therefore, claim 15 is believed to be in condition for allowance now.

Section 102 Issues

Claims 1-3, 16-18, 28, and 30-33 were rejected under 35 USC §102. Claims 2-3, 16-18, 28, and 30 all depend from claim 1. The office action cited the Wheeler patent (US5,825,680) in rejecting all of these claims. The office action cited block 432 in Fig. 3A as representing "X" in claim 1. The office action also cited block 434 in Fig. 3A as representing "D" in claim 1. Fig. 3A shows that the contents of blocks 432 and 434 are multiplied by one another as indicated by the multiplication sign between these two blocks. However, claim 1 clearly recites X divided by D. Thus, the use of Wheeler in rejecting claim 1 is inapplicable. Since claims 2-3, 16-18, 28, and 30 all depend from claim 1, they are allowable for this reason, as well. Furthermore, the office action utilized the same rationale that was used in rejecting claim 1 to reject claims 31 and 32. Claims 31 and 32 also recite X divided by D. So, they are allowable for the same reason that claim 1 is allowable, i.e., Wheeler does not teach this element. Also, claim 33 recites X/W. The office action utilizes the same rationale in rejecting claim 33 as was used in rejecting claim 1. Wheeler does not teach X/W as recited by claim 1. Therefore, claim 33 is allowable as well.

It is also noted that the office action combined portions of Figs. 3A and 3B in the Wheeler reference with Fig. 10 in the Wheeler reference to reject the claims under section 102. A principle of patent law is that a reference must disclose each element of the claimed invention "arranged as in the claim." See Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984). The office action failed to satisfy this requirement, because it drew from Figs. 3A and 3B for part of the claim and Fig. 10 for another part of the claim. Therefore, the reference fails to teach the claimed invention "arranged as in the claim." Consequently, claims 1-3, 16-18, 28, and 30-33 are allowable for this reason as well.

Section 103 Issues

Claim 29 was rejected under 35 USC §103 as being obvious over Wheeler as applied to claim 1 and in view of Juri (US 5,329,475). Since claim 29 depends from claim 1 and Wheeler was applied to claim 29 the same way it was applied to claim 1, claim 29 is allowable for the same reasons that claim 1 is allowable.

Allowable Subject Matter

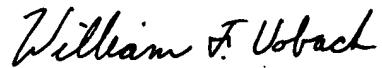
The claims already indicated as allowable have been re-written in independent format by incorporating the base claim elements.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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